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October 22, 2023

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The Court is pleased to hear of the parties' resolution of this matter.

VIA CM/ECF

The Honorable Jennifer H. Rearden
United States District Judge
Southern District of New York
500 Pearl Street, Room 1010
New York, New York
(212) 805-0230

The conference scheduled for October 23, 2023 is adjourned *sine die*. By separate order, the Court will conditionally dismiss this action without prejudice to reopening within thirty days.

SO ORDERED.

A handwritten signature in black ink that reads "Jennifer H. Rearden".

Jennifer H. Rearden, U.S.D.J.
Date: October 22, 2023

Re: *Ogilvie Brands, Inc. DBA Love Wellness v. Love Health, Inc.*, Civ. No. 1:23-04932
(JHR)(VF)

Dear Judge Rearden:

We write jointly on behalf of Ogilvie Brands, Inc. DBA Love Wellness ("Love Wellness"), plaintiff in the above-referenced case and Love Health, Inc. ("Love Health"), defendant in the above-referenced case to request: (1) adjournment of the Status Conference scheduled to be held October 23, 2023 at 1:30 pm ET (*see* Docket No. 71); and (2) entry of a conditional order of dismissal without prejudice to revive within thirty (30) days (sometimes called a "30 Day Order" in this district).

The Parties apologize in advance for the lateness of this request for adjournment. However, they are pleased to inform Your Honor that the reason for the request is because the Parties have reached a resolution of this matter, which eliminates the need for a Status Conference.

Further to the resolution of this matter, the Parties jointly request that the Court enter a so-called "30 Day Order" conditionally dismissing this action, without prejudice to revive within thirty (30) days, pending completion of certain obligations agreed by the Parties. Within thirty (30) days of entry of such 30 Day Order for conditional dismissal, provided those obligations are completed, the Parties expect to file a joint stipulation for dismissal of this action with prejudice.

This is the first such request for adjournment and will not affect any deadlines in this case.

We appreciate the Court is busy and, therefore, should the Court not enter an order adjourning the October 23, 2023 Conference before it is scheduled to occur, the Parties will still attend the conference to provide these updates to the Court telephonically.

VIA ECF

October 22, 2023

Page 2

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Arthur B.", is written above the distribution list.

cc: Counsel for Defendant (via ECF)

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